

January 23, 1933.

Honorable J. J. Phillips,  
House of Representatives,  
Eleventh Legislature,  
Phoenix, Arizona.

Dear Mr. Phillips:

I know of no legal way by which the State Legislature can enact any law to extend the time of redemption on a judicial sale, as to existing contracts and mortgages. The Courts of the land have repeatedly held that any attempt to extend the time for redemption from judicial sale cannot constitutionally be given a retroactive operation.

It has likewise been held by practically all of our Courts that the obligation of a mortgage is impaired by applying to a sale thereunder a statute enacted since its execution, extending the period of redemption beyond the time formerly allowed.

Any attempt to enact any statute impairing the obligations of a contract not only runs afoul the State Constitution but also the Federal Constitution.

Very respectfully submitted,

Attorney General.

ATL:MD

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